

### Remarks

Claims 1-6, 8-17, 19-25 and 33-38 are pending. By this Amendment, claim 1 has been amended. The amendment is being made to facilitate early allowance of the presently claimed subject matter. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the above amendments and following remarks is respectfully requested.

In the Office Action, claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. By this Amendment, claim 1 has been amended to be more definite. Accordingly, Applicants respectfully request withdrawal of the rejection.

Claims 1-2, 8, 13-14 and 33 are rejected under 35 USC 103(a) as being unpatentable over Albershofer (USPN 6,230,081) in view of Van De Pavert (USPN 5,914,471); claims 3-5 and 15 are rejected under 35 USC 103(a) as allegedly being unpatentable over Albersofer in view of Van De Pavert, further in view of Ando et al. (USPN 5,955,970), hereinafter "Ando"; claim 6 is rejected under 35 USC 103(a) as allegedly being unpatentable over Albershofer in view of Van De Pavert, in further view of Ando, still in further view of Force et al. (USPN 5,533,123), hereinafter "Force"; claim 9 is rejected under 35 USC 103(a) as allegedly being unpatentable over Albershofer in view of Van De Pavert, in further view of Ando, still in further view of

Force, and still in further view of Davis et al. (USPN 5,844,986), hereinafter “Davis”; claim 10 is rejected under 35 USC 103(a) as allegedly being unpatentable over Albershofer in view of Van De Pavert, in further view of Dar et al. (US Pub. No. 2001/0039509), hereinafter “Dar”; claim 11 is rejected under 35 USC 103(a) as allegedly being unpatentable over Albershofer in view of Van De Pavert, still in further view of Ehrman et al. (US Publication 2001/0037298), hereinafter “Ehrman”; claim 16, 21 and 23 are rejected under 35 USC 103(a) as allegedly being unpatentable over Dar in view of Van De Pavert; claims 17 and 19-20 are rejected under 35 USC 103(a) as allegedly being unpatentable over Dar, in view of Van De Pavert, in further view of Ando; claims 22 is rejected under 35 USC 103(a) as allegedly being unpatentable over Dar in view of Van De Pavert, in further view of Ando, still in further view of Ehrman; 24-25 are rejected under 35 USC 103(a) as allegedly being unpatentable over Dar in view of Van De Pavert, still in further view of Ando, still in further view of Ehrman; claims 34-35 and 37-38 are rejected under 35 USC 103(a) as allegedly being unpatentable over Dar in view of Van De Pavert, in further view of Shimizu et al. (US Publication 2002/0111822), hereinafter “Shimizu”; claim 36 is rejected under 35 USC 103(a) as allegedly being unpatentable over Dar in view of Van De Pavert, in further view of Shimizu, still in further view of Ehrman. Applicants respectfully traverse these rejections for the reasons stated below.

Applicants submit that the suggested combinations of the cited references do not disclose or suggest each and every claimed feature.

With regard to claims 1 and 33, the claimed invention includes, *inter alia*, “a security system including an encryption system for encrypting usage data transmitted between the sensor and the processor.” (Claim 1, parenthetical explanation added). As

the Office admits, Albershofer does not disclose or suggest this feature. (*See* OA at p3.) However, Applicants submit that Van De Pavert also does not disclose or suggest, *inter alia*, this feature. In Van De Pavert, the communication of card data is between a card and a secure module 3 of a card operated device 2 (FIG. 2). Neither the card nor the secure module 3 of Van De Pavert gathers usage data from a remote apparatus because neither is a sensor to gather a usage of the telephone, e.g., a timer. The card or the secure module 3 only exchanges data that are already stored in the card. As such, the encryption of Van De Pavert does not disclose or suggest encrypting usage data transmitted between a sensor that gathers usage data and a processor.

The above arguments also apply to cryptographic circuitry 54 of Van De Pavert (FIG. 4) because the device (card) of FIG. 4 is only an implementation of the FIG. 2 module using “commercially available components,” and cryptographic circuitry 54 does not encrypt usage data transmitted between a sensor that gathers usage data and a processor.

Moreover, in Van De Pavert, block 125 (FIG. 3A) does not encrypt usage data, based on which the processor calculates a charge. Rather, in Van De Pavert, “block 125 executes a pre-defined cryptographic process to encrypt this code and the associated card data on which the code is based[.]” in a verification procedure. (Col. 9, lines 5-7, emphasis added). In Van De Pavert, the card data “includes ... a value of the current card balance[.]” (Col. 8, lines 64-65). However, in the verification procedure of Van De Pavert, a card balance is not a usage data because a use of the card has not taken place. A card balance at this stage may reflect previous usage, but the previous usage will not be used as a basis for calculating a current charge. Actually, Van De Pavert expressly

discloses that “this procedure (including encryption) will not take place after each successive adjusting (e.g., reduction) of a card balance.” (Col. 8, lines 5-6, parenthetical explanation added). As such, Van De Pavert does not encrypt a usage data, e.g., time of use because as discussed above, a starting balance of a card in the verification procedure of Van De Pavert does not reflect a usage based on which a charge is calculated. In view of the foregoing, Albershofer and Van De Pavert, even in suggested combination, do not disclose or suggest “an encryption system for encrypting usage data transmitted between the sensor and the processor[,],” as claimed in the claimed invention.

In view of the foregoing, Applicants respectfully submit that claims 1 and 33 are allowable over the art of record.

With respect to claim 16, the above arguments regarding Van De Pavert also apply. Applicants submit that Ando and Dar do not overcome, *inter alia*, the above-identified deficiencies of Van De Pavert because Ando and Dar do not encrypt usage data transmitted between the sensor that gathers the usage data and the processor. The Office asserts that Ando discloses “a security system for protecting monetary data stored therein and ensuring legitimate communication with the stationary device.” (OA at p10). Applicants respectfully submit that this assertion is irrelevant in this case because the current invention claims “an encryption system for encrypting usage data transmitted between the sensor and the processor (in the same local data processing system).” (Claim 1, parenthetical explanation added). In Ando, the communication is between an on-board device 20 and a stationary device 60, which are not in the same local data processing system within the remote apparatus. In view of the foregoing, Applicants respectfully submit that claim 16 is allowable over the art of record.

With respect to claim 23, the claimed invention recites, *inter alia*, “a security system, wherein the security system includes an encryption system for securing information transmitted to the central server, and for securing information processed by the central server.” (Emphasis added). The Office Action alleges that the combination of Dar, Van De Pavert and Ando suggests the features of this claim. Applicants respectfully traverse because neither reference teaches or suggests a security system “for securing information processed by the central server.” Particularly, in Ando, which is used by the Office to overcome the deficiencies of Dar and Van De Pavert regarding this claim, there is no teaching or suggestion that any information remains or is continually treated secure and encrypted once received and processed by the central server. Accordingly, Applicants submit that claims 23-25 are allowable over the art of record.

The dependent claims are believed allowable for the same reasons stated above, as well as for their own additional features.

In addition, Applicants submit that by combining multiple, e.g., more than three, references without providing any support that there is reasonable expectation of success founded in the teachings of the references, many of the rejections made by the Office are weak. Applicants respectfully request reversal or reconsideration of those weak rejections.

Conclusion

Applicants respectfully submit that the application is in condition for allowance. If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

/Michael F. Hoffman/

Dated: 6/22/07

---

Michael F. Hoffman  
Reg. No. 40,019

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14th Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)